

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

ZACHARY HILTON,

Plaintiff,

Civil Action No. 2:17cv274

v.

**PORCH.COM AND MATTHEW
EHRlichMAN,**

Defendants.

**DEFENDANTS' MOTION PURSUANT TO FED. R. CIV. P. 12 (b)(6) TO
DISMISS FACTUALLY UNSUPPORTED CLAIMS INCONSISTENT WITH SUPREME
COURT PRECEDENT IN TWOMBLY AND IQBAL, AND MOTION PURSUANT TO
FED. R. CIV. P. 12(f) TO STRIKE IMPROPER PORTIONS OF PLAINTIFF'S
COMPLAINT**

TO THE CLERK, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on March 8, 2017, in the Pittsburgh Division of this court located at the Joseph F. Weis, Jr. U.S. Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania 15219, Defendants Porch.com and Matthew Ehrlichman ("Defendants") move this Court for dismissal in favor of Defendants and against Plaintiff, Zachary Hilton ("Hilton"), as to Hilton's factually unsupported claims in his Complaint, and strike as to improper portions of Hilton's Complaint. This motion is made upon the grounds that Plaintiff Hilton's claims are factually unsupported, and portions of his Complaint are improper. This Court should rule in favor of Defendants as to the law governing proper pleading standards.

This motion is based upon this Notice and the Brief in Support of the Motion, which is served and filed contemporaneously herewith, and such other and further matters as may properly be brought before the Court.

Date: March 8, 2017

Respectfully submitted,

By: /s/ Eric Lopez Schnabel
Eric Lopez Schnabel, PA#84921
Dorsey & Whitney (Delaware) LLP
300 Delaware Avenue
Suite 1010
Wilmington, DE 19801
(302) 425-7171
(302) 425-7177

Michael Droke, WSBA#25972
Jasmine Hui, WSBA#49964
Dorsey & Whitney LLP
Columbia Center
701 Fifth Avenue, Suite 6100
Seattle, WA 98104-7043
(206) 903-8800
(206) 903-8820

*Counsel to Porch.com and Matthew
Ehrlichman*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was been served upon the following party via FedEx, this 8th day of March, 2017.

James W. Southworth, Esq.
Dickie, McCamey & Chilcote, P.C.
Firm #067
Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402

By: /s/ Eric Lopez Schnabel
Eric Lopez Schnabel, PA#84921
Dorsey & Whitney (Delaware) LLP
300 Delaware Avenue
Suite 1010
Wilmington, DE 19801
(302) 425-7171
(302) 425-7177